

## UNITED STATES DISTRICT COURT

FILED

for the

Southern District of Ohio

12 MAR 28 AM 10:32

In the Matter of the Search of  
(Briefly describe the property to be searched  
or identify the person by name and address)

Express Mail Parcel, Label Number, EI 468494296 US, postmarked  
March 27, 2012, addressed to Robert Tilley, 7424 Country Brook Ct,  
Dayton, Ohio 45414, with a return address of Tonny S Lo, 25  
Broadway St, NYC 10203.

Case No.

MICHAEL J. NEWMAN  
UNITED STATES  
MAGISTRATE JUDGE  
MICHAEL J. NEWMAN

## APPLICATION FOR A SEARCH WARRANT

I, a federal law enforcement officer or an attorney for the government, request a search warrant and state under penalty of perjury that I have reason to believe that on the following person or property (identify the person or describe the property to be searched and give its location):

Express Mail Parcel, Label Number, EI 468494296 US

located in the Southern District of Ohio, there is now concealed (identify the person or describe the property to be seized):

Controlled Substances, materials and documents reflecting the distribution of controlled substances through the U.S. Mails, including money and/or monetary instruments paid for controlled substances

The basis for the search under Fed. R. Crim. P. 41(c) is (check one or more):

- ☒ evidence of a crime;  
☒ contraband, fruits of crime, or other items illegally possessed;  
☐ property designed for use, intended for use, or used in committing a crime;  
☐ a person to be arrested or a person who is unlawfully restrained.

The search is related to a violation of: Title 21

Code Section	Offense Description
21 U.S.C. 841 (a) (1), 843 (b) & 846	Conspiracy to distribute a controlled substance Possession with intent to distribute a controlled substance

The application is based on these facts:

See attached affidavit of U.S. Postal Inspector McDonough

- ☒ Continued on the attached sheet.  
☐ Delayed notice \_\_\_\_\_ days (give exact ending date if more than 30 days: \_\_\_\_\_) is requested under 18 U.S.C. § 3103a, the basis of which is set forth on the attached sheet.

Sworn to before me and signed in my presence.

Date: March 28, 2012

City and state: Dayton, Ohio

*Suzanne M. McDonough*  
Applicant's signature

Suzanne M. McDonough, U.S. Postal Inspector



*Michael J. Newman*  
Honorable Michael J. Newman  
United States Magistrate Judge

Printed name and title

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
DAYTON, OHIO

STATE OF OHIO                     )  
  ) SS  
COUNTY OF MONTGOMERY )

AFFIDAVIT IN SUPPORT OF SEARCH WARRANT

I, SUZANNE MCDONOUGH, HAVING BEEN DULY SWORN, DEPOSE AND STATE: I am a United States Postal Inspector, having been so employed since July 22, 1995. I am presently assigned to the Cincinnati Field Office, Pittsburgh Division of the Postal Inspection Service with investigative responsibility for Southwest Ohio and Northern Kentucky. Part of my investigative responsibility involves the use of the United States Mail in the transporting of narcotics and other dangerous controlled substances and financial proceeds relating thereto.

Your affiant attended a week-long national Inspection Service training course in October, 1997. The training involved narcotic investigation techniques, chemical field tests and training in the detection and identification of controlled substances being transported in the U. S. Mail. In September 1999 your affiant attended a two-week drug investigator's training course provided by the Drug Enforcement Administration that included training in drug identification, drug interdiction, confidential informant management, and undercover investigation practices. In addition to this formal training, your affiant has worked since 1996 with various federal, state and local law enforcement agencies in the investigation of the transportation of illegal drugs and their identification. Primarily your affiant's investigative attention relates to the mailing of narcotics within the continental United States. Infrequently investigations involve foreign originating packages, those referred by U. S. Customs, and those coming to your affiant's attention

from other law enforcement agencies.

Your affiant has become aware that drug traffickers frequently use Express Mail, a business-oriented over-night service offered by the United States Postal Service, to transport narcotics and other dangerous controlled substances. As a result of investigations and successful controlled substance prosecutions where Express Mail was used, your affiant has learned of certain characteristics indicative of other Express Mail items previously identified as containing narcotics or other dangerous controlled substances. Some of these characteristics include, but are not necessarily limited to or used on every occasion, false or non-existent return address, addressee is not known to receive mail at the listed delivery address, the package is heavily taped, the package is mailed from a known drug source location, labeling information contains misspellings, the label contains an illegible waiver signature, unusual odors emanating from the package, and the listed address is located in an area of known or suspected drug activity.

On March 28, 2012, a suspicious Express Mail parcel was intercepted at the Dayton, OH Processing and Distribution Center. The parcel appeared suspicious due to the fact that it was mailed from a known area of drug activity, New York City, NY, and the zip code of mailing did not match the zip code listed in the return address.

This parcel is further identified as follows:

**Label No. :** EI 468494296 US

**Sender:** Tonny S Lo  
25 Broadway St.  
NYC 10203



**Addressee:** Robert Tilley  
7424 Country Brook Ct.  
Dayton, Ohio 45414

Observation of the Express Mail parcel indicated the parcel was mailed from the Jamaica Post Office, Jamaica, NY 11419, but the zip code listed as the return address was 10203. Through training and experience, your affiant has learned that the area in and around Jamaica, NY, is a location of known drug activity and a drug source location.


The AccurintLE database was researched regarding the listed return address, Tonny S Lo, 25 Broadway St, NYC 10203. The information obtained from the database indicated no one by the name of Tonny S Lo to be associated with that address. Additionally, the U. S. Postal Service Address Management System was researched regarding the listed address. The information obtained from the system indicated the address is non-existent. There is no such address as 25 Broadway St, New York City, NY in the zip code area of 10203. The correct zip code for that address is 10004.

Additionally, on 3/15/2012, your affiant intercepted an Express Mail Parcel, Label Number, EI 468494680 US addressed to Robert Tilley, 7424 Country Brook Ct, Dayton, OH 45414, with a return address of Tonny S Lo, 25 Broadway St, NYC 10203. Express Mail Parcel, Label Number, EI 468494680 US was opened pursuant to Federal Search Warrant 3:12mj-105, and found to contain 450 oval, white, scored tablets, labeled 10mg Zolfresh, Zolpidem Tartrate Tablets I. P., a schedule IV controlled substance.

Based on the information contained herein, your affiant believes that contained in Express Mail Parcel, Label Number EI 468494296 US, is a quantity of a narcotic or

other dangerous controlled substance, their proceeds or instrumentality's. Therefore, a search warrant to open the parcel is requested.

Further, your affiant sayeth naught.



Suzanne McDonough  
Postal Inspector

Subscribed and sworn to and before me this 28<sup>th</sup> day of March, 2012.



Honorable Michael J. Newman  
United States Magistrate Judge

